

United States Bankruptcy Court

NORTHERN DISTRICT OF ILLINOIS

219 S. Dearborn Street

Chicago, IL 60604

FILED

OCT 06 2008

NR

Kenneth S. Gardner, Bankruptcy Clerk

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTDate 10/06/2008Michael Dobbins, Clerk
United States District Court
Northern District of Illinois
219 S Dearborn Street
Chicago, IL 60604Case Number 08 A 00237 08 B 01187

Case Name

Official Unsecured Creditors' Committee of Heartside Banking Co v Terry Cohen, Melvin Blum

Notice of Appeal Filed

9/22/2008

Appellant

Melvin Blum and Marvin Gordon

Dear Sir:

Pursuant to **Bankruptcy Rule 8007** transmitted herewith is the Record on Appeal. The Record on Appeal consist of:
☒
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☐
☐

Transmittal Letter and Civil Cover Sheet

Designation and Statement of Issues

Transcript of Proceeding

In Forma Pauperis

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☐
☐
☐

Notice of Appeal

Copy of Documents Designated

Exhibits

Expedited Notice of Appeal

Additional Items Included

☒
Motion for Leave to AppealMemorandum In Support of Motion for Leave to Appeal, Response to the Co-Trustees' Motion for Leave to Appeal
☐

Total Volumes Transmitted

08CV5672

JUDGE CASTILLO

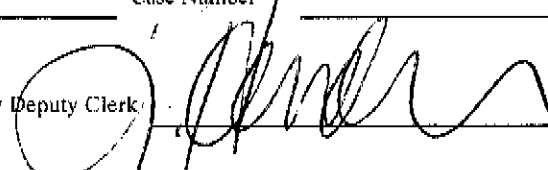
MAGISTRATE JUDGE ASHMAN

The following items will be transmitted as a supplemental to the Record on Appeal

☐

Previous D C Judge _____

Case Number _____

By Deputy Clerk: 

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

OCT 06 2008

NE

IN RE:
HEARTHSIDE BAKING CO., INC.,
Debtor.

) Chapter 11
) Case No. 08 B 01187
) Honorable Jacqueline P. Cox

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

OFFICIAL UNSECURED CREDITORS'
COMMITTEE OF HEARTHSIDE BAKING
CO., INC. and WAYNE COHEN, individually
and derivatively as President and beneficial
owner of Hearthside Baking Co., Inc., d/b/a
Maurice Lenell Cooky Company,
Plaintiffs,

08CV5672
JUDGE CASTILLO
MAGISTRATE JUDGE ASHMAN

v.

) Adv. No. 08 A 00237

TERRY COHEN, MELVIN BLUM,
MARVIN GORDON, and HEARTHSIDE
BAKING CO., INC., d/b/a MAURICE
LENELL COOKY COMPANY,
Defendants.

) (Removed from the Circuit Court of Cook
) County, Illinois, Case No. 05 CH 04233)

) Consolidated with Adv. No. 08 A 00279
)

NOTICE OF APPEAL

Co-Trustees Melvin Blum and Marvin Gordon (individually "Blum" and "Gordon" and collectively, the "Co-Trustees"), by their respective attorneys, appeal under 28 U.S.C. § 158(a)(3) to the United States District Court for the Northern District of Illinois from the Judgment Order and Memorandum Opinion entered on August 4, 2008 in the above-referenced adversary proceeding, denying their Motion for Abstention and Remand to the Circuit Court of Cook County. Accompanying this Notice of Appeal is a Motion for Leave to Appeal pursuant to 28 U.S.C. § 158(a)(3) and Federal Rules of Bankruptcy Procedure 8003. This appeal is filed within ten days of the disposition of a post-trial motion which stayed the time to appeal pursuant Federal Rule of Bankruptcy Procedure 8002(b).

The names of all parties to the Judgment Order and Memorandum Opinion appealed from

and the names, addresses and telephone numbers of their respective attorneys are as follows:

Appellants: Melvin Blum

Marvin Gordon

Appellant's	Alan R. Dolinko	Stephen Novack
Attorneys:	Robinson Curley & Clayton, P.C.	Monte L. Mann
	300 South Wacker Drive, Suite 1700	John F. Shonkwiler
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	(312) 663-3100	100 N. Riverside Plaza
	<i>For Marvin Gordon</i>	Chicago, IL 60606
		(312) 419-6900
		<i>For Melvin Blum</i>

Appellees: Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc.

Wayne Cohen

Terry Cohen

Hearthside Baking Co., Inc., d/b/a Maurice Lenell Cooky Company

Andec Cohen Kochavi

Appellees' Attorneys:	Joseph D. Frank Jeremy C. Kleinman Frank/Gecker LLP 325 N. LaSalle St., Suite 625 Chicago, IL 60610 (312) 276-1400 <i>For Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc.</i>	Chad H. Gettleman Adelman & Gettleman, Ltd. 53 W. Jackson Blvd., Suite 1050 Chicago, IL 60604 (312) 435-1050
	Thomas J. Verticchio Swanson, Martin & Bell 330 N. Wabash, Suite 3300 Chicago, IL 60611 (312) 321-9100 <i>For Terry Cohen</i>	Richard C. Perna Fuchs & Roselli, Ltd. 440 W. Randolph St., Suite 500 Chicago, Illinois 60606 (312) 651-2400
	Stephen Scallan Andrew Staes Staes & Scallan PC 111 W. Washington St., Suite 1631 Chicago, IL 60602 (312) 201-8969 <i>For Wayne Cohen</i>	David W. Clark 221 East Illinois Street P.O. Box 564 Wheaton, IL 60189-0564 (630) 665-1900
	Robert Langendorf Robert A. Langendorf PC 134 N. LaSalle St., Suite 1515 Chicago, IL 60602 (312) 782-5933 <i>For Andee Cohen Kovachi</i>	Robert D. Nachman Dykema 10 S. Wacker Dr., Suite 2300 Chicago, IL 60606 (312) 876-1700
		William T. Neary Office of the U.S. Trustee, Region 11 227 W. Monroe St., Suite 3350 Chicago, IL 60606 (312) 886-5785

Respectfully submitted this 22nd day of September, 2008.

MELVIN BLUM AND MARVIN GORDON

By: /s/ Alan R. Dolinko
Alan R. Dolinko, One of Marvin Gordon's Attorneys

By: /s/ Monte L. Mann
Monte L. Mann, One of Melvin Blum's Attorneys

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CERTIFICATE OF SERVICE

Alan R. Dolinko, an attorney, hereby certifies that, on September 22, 2008, he caused a true and correct copy of the foregoing **NOTICE OF APPEAL** to be filed electronically with the Court's CM/ECF system, and that notice of this filing was sent by electronic mail to all parties by operation of the court's electronic filing system or by United States First Class Mail to anyone unable to receive electronic filings.

Parties may access this filing through the Court's CM/ECF system:

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Via First-Class Mail to:

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/s/ Alan R. Dolinko

APPEAL, CONS, LEAD

**U.S. Bankruptcy Court
Northern District of Illinois (Chicago)
Adversary Proceeding #: 08-00237
Internal Use Only**

FILED

OCT 06 2008

NE

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

Assigned to: Jacqueline P. Cox
Related BK Case: 08-01187
Related BK Title: Hearthside Baking Co.,
Inc.

Date Filed: 04/28/08

Related BK Chapter: 11

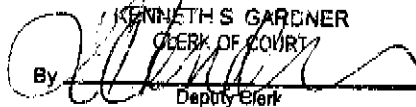
Demand:

Nature 01 Determination of removed
[s] of claim or cause
Suit:

14 Recovery of money/property -
other

02 Other (e.g. other actions that
would have been brought in
state court if unrelated to
bankruptcy)

This is to certify that the within and attached
document is a full, true and correct copy of
the original thereof as the same appears on
file in the office of the Clerk of the United
States Bankruptcy Court for the Northern
District of Illinois

KENNETH S. GARDNER
CLERK OF COURT
By 
Deputy Clerk
Dated 06 OCT 2008

08CV5672
JUDGE CASTILLO
MAGISTRATE JUDGE ASHMAN

Plaintiff

**Official Unsecured
Creditors' Committee of
Hearthside Baking Co.,
Inc.**

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Fax : 312 - 276-0035
Email: jfrank@fgllp.com
LEAD ATTORNEY

**Wayne Cohen,
individually and**

represented **Joshua J Whiteside**
by Staes & Scallan PC

*derivatively as President
and beneficial owner of
Heartside Baking Co., Inc.,
d/b/a Maurice Lenell Cooky
Company*

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TERMINATED: 07/15/2008

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V.

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Terry Cohen

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adolinko@robinsoncurley.com

**Hearthside Baking Co.,
Inc., d/b/a Maurice Lenell
Cooky Company**

represented **Hearthside Baking Co., Inc., d/b/a**
by **Maurice Lenell Cooky Company**
PRO SE

Filing Date	#	Docket Text
04/28/2008	<u>1</u>	(01 (Determination of removed claim or cause)), (14 (Recovery of money/property - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), Notice of Removal Fee Amount \$250, (Frank, Joseph) (Entered: 04/28/2008)

[illegible]

		attachment(s) added on 5/28/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). Additional attachment(s) added on 5/29/2008 (Chavez, Baldo). (Entered: 05/21/2008)
05/21/2008	<u>05</u>	Hearing Set (RE: 1 Notice of Removal,). Status hearing to be held on 6/24/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 05/21/2008)
05/27/2008	<u>07</u>	Notice of Motion Filed by John F Shonkwiler on behalf of Melvin Blum. Hearing scheduled for 6/19/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Shonkwiler, John) Modified on 5/29/2008 Motion Missing (Chavez, Baldo). (Entered: 05/27/2008)
05/27/2008	<u>08</u>	Notice of Motion and Motion for Remand Filed by John F Shonkwiler on behalf of Melvin Blum. Hearing scheduled for 6/19/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Shonkwiler, John) Modified on 5/29/2008 to create related document # 7 (Chavez,

		Baldo). (Entered: 05/27/2008)
05/27/2008	99	Memorandum in Support Filed by John F Shonkwiler on behalf of Melvin Blum (RE: 8 Motion for Remand). (Attachments: # 1 Exhibit A, Part I# 2 Exhibit A, Part II# 3 Exhibit B, C, and D) (Shonkwiler, John) (Entered: 05/27/2008)
05/27/2008	10	Notice of Motion and Motion to Abstention, Notice of Motion and Motion for Remand Filed by Alan Dolinko on behalf of Marvin Gordon. Hearing scheduled for 6/19/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Dolinko, Alan) (Entered: 05/27/2008)
05/27/2008	11	Notice of Motion Filed by Alan Dolinko on behalf of Marvin Gordon (RE: 10 Motion to Abstention,, Motion for Remand,). Hearing scheduled for 6/19/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Dolinko, Alan) (Entered: 05/27/2008)
05/28/2008	12	Appearance Filed by Joseph P Kincaid on behalf of Terry Cohen. (Kincaid, Joseph) (Entered: 05/28/2008)
05/28/2008	13	Attachment(s) Proposed Order Filed by Alan Dolinko on behalf of Marvin Gordon (RE: 10 Motion to Abstention,, Motion for Remand,). (Dolinko, Alan) (Entered: 05/28/2008)
05/29/2008	14	CORRECTIVE ENTRY Motion Missing (RE: 7 Notice of Motion,). (Chavez, Baldo) (Entered: 05/29/2008)
05/29/2008	15	CORRECTIVE ENTRY to create related document # 7 (RE: 8 Motion for Remand,). (Chavez, Baldo) (Entered: 05/29/2008)

05/30/2008	16	Notice of Filing Documents filed in Case No. 08-01187 on May 27, 2008 Filed by Joseph P Kincaid on behalf of Terry Cohen. (Attachments: # 1 NOM - earlier filed in 08-01187# 2 Motion for Abstention - earlier filed in 08-01187)(Kincaid, Joseph) (Entered: 05/30/2008)
06/03/2008	17	Notice of Motion and Motion to Consolidate Lead Case 08-279 with Member Case(s) 08-237 Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc.. Hearing scheduled for 6/10/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # 1 Proposed Order) (Frank, Joseph) (Entered: 06/03/2008)
06/09/2008	18	Response to (related document(s): 17 Motion to Consolidate,) Filed by Joshua J Whiteside on behalf of Wayne Cohen (Attachments: # 1 Exhibit 1# 2 Exhibit 2a# 3 Exhibit 2b# 4 Exhibit 3# 5 Exhibit 4) (Whiteside, Joshua) (Entered: 06/09/2008)
06/10/2008	19	Hearing Continued (RE: 17 Consolidate). Hearing Scheduled for 07/08/2008 at 02:00 PM at Courtroom 619 219 South Dearborn, Chicago, IL, 60604. (Watson,Anthony) (Entered: 06/10/2008)
06/16/2008	20	Proposed Order (Order Scheduling) - Hearing continued on 7/8/2008 at 02:00PM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (RE: 17 Motion to Consolidate), Hearing continued on 7/8/2008 at 02:00 PM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604 10 Motion to Abstention, Motion for Remand,). Brief in support of the Remand/Abstention Motions due by 6/19/2008. Reply in support of the

		Remand/Abstention Motions due by: 6/27/2008. The Status hearing previously scheduled for 6/24/2008 at 10:00 am is stricken. Signed on 6/16/2008 (Chavez, Baldo) (Entered: 06/17/2008)
06/19/2008	<u>21</u>	Memorandum in Opposition Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc. (RE: <u>8</u> Motion for Remand,, <u>10</u> Motion to Abstention,, Motion for Remand,, <u>16</u> Notice of Filing). (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I) (Frank, Joseph) (Entered: 06/19/2008)
06/19/2008	<u>22</u>	Response to (related document(s): <u>8</u> Motion for Remand,) Filed by Joshua J Whiteside on behalf of Wayne Cohen (Whiteside, Joshua) (Entered: 06/19/2008)
06/27/2008	<u>23</u>	Reply to (related document(s): <u>8</u> Motion for Remand,) Filed by Joshua J Whiteside on behalf of Wayne Cohen (Whiteside, Joshua) (Entered: 06/27/2008)
06/27/2008	<u>24</u>	Joint Reply to (related document(s): <u>8</u> Motion for Remand,, <u>10</u> Motion to Abstention,, Motion for Remand,) Filed by John F Shonkwiler on behalf of Melvin Blum, Marvin Gordon (Attachments: # <u>1</u> Exhibit A & B) (Shonkwiler, John) (Entered: 06/27/2008)
07/08/2008	<u>25</u>	Hearing Continued Status hearing to be held on 8/6/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 07/08/2008)

07/09/2008	<u>26</u>	Appearance for Michael B. Cohen Filed by Cohen B Cohen on behalf of Wayne Cohen. (Cohen, Cohen) (Entered: 07/09/2008)
07/09/2008	<u>27</u>	Notice of Motion and Motion for Leave to File Surreply In Opposition To The Motion To Remand Filed by Cohen B Cohen on behalf of Wayne Cohen. Hearing scheduled for 7/15/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # <u>1</u> Proposed Order) (Cohen, Cohen) (Entered: 07/09/2008)
07/09/2008	<u>28</u>	Notice of Motion Filed by Cohen B Cohen on behalf of Wayne Cohen (RE: <u>27</u> Motion for Leave,). Hearing scheduled for 7/15/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Cohen, Cohen) (Entered: 07/09/2008)
07/09/2008	<u>29</u>	Notice of Motion and Motion to Withdraw as Attorney Filed by Cohen B Cohen on behalf of Wayne Cohen. Hearing scheduled for 7/15/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # <u>1</u> Proposed Order) (Cohen, Cohen) (Entered: 07/09/2008)
07/09/2008	<u>30</u>	Notice of Motion Filed by Cohen B Cohen on behalf of Wayne Cohen (RE: <u>29</u> Motion to Withdraw as Attorney,). Hearing scheduled for 7/15/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Cohen, Cohen) (Entered: 07/09/2008)
07/14/2008	<u>31</u>	Response to (related document(s): <u>27</u> Motion for Leave,) Filed by Alan Dolinko on behalf of Melvin

		Blum, Marvin Gordon (Dolinko, Alan) (Entered: 07/14/2008)
07/15/2008	<u>32</u>	Order Granting Motion for Leave to file Surreply in Opposition to the Motion to Remand (Related Doc # <u>27</u>). Signed on 7/15/2008. (Chavez, Baldo) (Entered: 07/15/2008)
07/15/2008	<u>33</u>	Order Granting Motion To Withdraw Joshua J Whiteside As Attorney (Related Doc # <u>29</u>). Signed on 7/15/2008. (Chavez, Baldo) (Entered: 07/15/2008)
07/15/2008	<u>34</u>	ENTERED IN ERROR Order Granting Staes & Scallan, PC Leave to Withdraw the Appearance of Attorney Joshua J Whiteside (Related to 08-00237 Doc #29). Signed on 7/15/2008 (Chavez, Baldo) Modified on 7/15/2008 (Chavez, Baldo). (Entered: 07/15/2008)
07/15/2008	<u>35</u>	CORRECTIVE ENTRY ENTERED IN ERROR (RE: <u>34</u> Order (Generic)). (Chavez, Baldo) (Entered: 07/15/2008)
08/04/2008	<u>36</u>	Memorandum Opinion (RE: <u>17</u> Motion to Consolidate,). (Gomez, Denise) (Entered: 08/04/2008)
08/04/2008	<u>37</u>	Certificate of Service (RE: <u>36</u> Memorandum Opinion). (Gomez, Denise) (Entered: 08/04/2008)
08/06/2008	<u>38</u>	Hearing Continued Status hearing to be held on 9/10/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 08/06/2008)
08/12/2008	<u>39</u>	ENTERED IN ERROR Order Granting Motion To Consolidate Lead Case 08A00279 with Member

		Cases(s) 08A00237 (Related Doc # <u>17</u>). Signed on 8/12/2008. (Gomez, Denise) Modified on 8/14/2008 (Sims, Mildred). (Entered: 08/12/2008)
08/12/2008	<u>45</u>	Order Granting Motion To Consolidate Lead Case 08A00237 with Member Cases(s) 08A00279 (Related Doc # <u>17</u>). Signed on 8/12/2008. (Gomez, Denise) Modified on 8/14/2008 correct text to include All future pleadings pertaining to Adversary 08A237 and 08A279 shall be filed solely in Adversary 08A237 (Sims, Mildred). (Entered: 08/14/2008)
08/13/2008	<u>40</u>	Appearance Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum. (Johnston-Ahlen, Julie) (Entered: 08/13/2008)
08/13/2008	<u>41</u>	Notice of Motion and Motion to Compel Disclosure or Any Agreement As to Ownership Of Claims Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum. Hearing scheduled for 8/27/2008 at 09:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # <u>1</u> Proposed Order # 2 Exhibit A) (Johnston-Ahlen, Julie) (Entered: 08/13/2008)
08/13/2008	<u>42</u>	Notice of Motion Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum (RE: <u>41</u> Motion to Compel,). Hearing scheduled for 8/27/2008 at 09:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Johnston-Ahlen, Julie) (Entered: 08/13/2008)
08/13/2008	<u>43</u>	Notice of Motion and Motion for Relief from Judgment or Order Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum, Marvin Gordon. Hearing scheduled for 9/10/2008 at 10:30 AM at

		219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Proposed Order) (Johnston-Ahlen, Julie) (Entered: 08/13/2008)
08/13/2008	<u>44</u>	Notice of Motion Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum, Marvin Gordon (RE: <u>43</u> Motion for Relief from Judgment or Order,). Hearing scheduled for 9/10/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Johnston-Ahlen, Julie) (Entered: 08/13/2008)
08/14/2008		Reopen Document (RE: <u>17</u> Motion to Consolidate,). (Gomez, Denise) (Entered: 08/14/2008)
08/14/2008	<u>46</u>	CORRECTIVE ENTRY ENTERED IN ERROR (RE: <u>39</u> Order on Motion to Consolidate Case). (Sims, Mildred) (Entered: 08/14/2008)
08/14/2008	<u>47</u>	CORRECTIVE ENTRY correct text to include All future pleadings pertaining to Adversary 08A237 and 08A279 shall be filed solely in Adversary 08A237 (RE: <u>45</u> Order on Motion to Consolidate Case,). (Sims, Mildred) (Entered: 08/14/2008)
08/26/2008	<u>48</u>	Brief Response To Trustees' Motion To Compel Disclosure Filed by Cohen B Cohen on behalf of Wayne Cohen. (Cohen, Cohen) (Entered: 08/26/2008)
08/26/2008	<u>49</u>	Response to (related document(s): <u>41</u> Motion to Compel,) Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc. (Attachments: # <u>1</u>

		Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E) (Frank, Joseph) (Entered: 08/26/2008)
08/27/2008	50	Hearing Set . Hearing on Fees scheduled for 10/1/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 08/27/2008)
08/27/2008	51	Order Scheduling - Motion is Denied (RE: 41 Motion to Compel,). Both the Committee and Wayne Cohen are given up to and including 9/10/2008 to file a petition for fees. Hearing for sanctions scheduled for 10/1/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. Trustees to file Objection to the award of fees and their amount due by 9/18/2008. Signed on 8/27/2008 (Chavez, Baldo) (Entered: 08/27/2008)
09/02/2008	52	Request Fee Pctition Of Wayne Cohen Pursuant To August 27, 2008 Order Filed by Cohen B Cohen on behalf of Wayne Cohen. (Cohen, Cohen) (Entered: 09/02/2008)
09/10/2008	53	Hearing Continued Status hearing to be held on 11/6/2008 at 10:00 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Watson, Anthony) (Entered: 09/10/2008)
09/10/2008	54	Notice of Motion and Motion to Approve Award of Fees Pursuant to Fed. R. Bankr. P. 7037 and Fed. R. Civ. P. 37 Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc.. Hearing scheduled for 10/1/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # 1 Exhibit A# 2 Proposed Order)

		(Frank, Joseph) (Entered: 09/10/2008)
09/10/2008	<u>55</u>	Order Withdrawing Motion to Abstention. (Related Doc # <u>10</u>), Withdrawing Motion For Remand (Related Doc # <u>10</u>). Signed on 9/10/2008. (Chavez, Baldo) (Entered: 09/11/2008)
09/18/2008	<u>56</u>	Brief Trustees' Response in Opposition to (1) Award of Sanctions and (2) Amounts Sought in Fee Petitions Filed by Julie A. Johnston-Ahlen on behalf of Melvin Blum, Marvin Gordon. (Attachments: # <u>1</u> Exhibit A) (Johnston-Ahlen, Julie) (Entered: 09/18/2008)
09/22/2008	<u>57</u>	Notice of Appeal with Motion for Leave to Appeal Filed by Alan Dolinko on behalf of Melvin Blum, Marvin Gordon. Fee Amount \$255. (Dolinko, Alan) (Entered: 09/22/2008)
09/22/2008	<u>58</u>	Notice of Filing and Motion for Leave to Appeal Filed by Alan Dolinko on behalf of Melvin Blum, Marvin Gordon. Transmission of Record Due by 10/3/2008. (Dolinko, Alan) (Entered: 09/22/2008)
09/22/2008	<u>59</u>	Memorandum in support of their motion for leave to appeal Filed by Alan Dolinko on behalf of Melvin Blum, Marvin Gordon. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit C# <u>4</u> Exhibit Exhibit D# <u>5</u> Exhibit Exhibit E) (Dolinko, Alan) (Entered: 09/22/2008)
09/23/2008	60	Receipt of Notice of Appeal with Motion for Leave to Appeal(08-00237) [appeal,ntcaplml] (255.00) Filing Fee. Receipt number 03165964. Fee Amount \$ 255.00 (Bridges, Donna) (Bridges) (Entered: 09/23/2008)
09/23/2008	<u>61</u>	Entered in Error Receipt of Adversary Filing Fee

		- \$250.00 by AL. Receipt Number 03165964. Payment received from Robinson Curley Clayton. Modified on 9/26/2008 (Krystavel, Kara). (Entered: 09/24/2008)
09/23/2008	<u>62</u>	Entered in Error Receipt of Notice of Appeal Fee-\$5.00 by AL. Receipt Number 03165972. Payment received from Robinson Curley & Clayton. Modified on 9/26/2008 (Krystavel, Kara). (Entered: 09/24/2008)
09/26/2008	<u>63</u>	Reply in Opposition to Filed by Michael B Cohen on behalf of Wayne Cohen (Cohen, Michael) (Entered: 09/26/2008)
09/26/2008	<u>64</u>	Supplement Fee Pctition Of Wayne Cohen Pursuant To August 27, 2008 Order Filed by Michael B Cohen on behalf of Wayne Cohen. (Cohen, Michael) (Entered: 09/26/2008)
09/26/2008	<u>65</u>	Notice of Motion and Amended Motion (related document(s): <u>27</u> Motion for Leave,) Filed by Michael B Cohen on behalf of Wayne Cohen. Hearing scheduled for 10/1/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Attachments: # <u>1</u> Exhibit 1a# <u>2</u> Exhibit 1b# <u>3</u> Exhibit 1c# <u>4</u> Exhibit 2a# <u>5</u> Exhibit 2b# <u>6</u> Exhibit 3# <u>7</u> Exhibit 4a# <u>8</u> Exhibit 4b# <u>9</u> Exhibit 5# <u>10</u> Exhibit 6a# <u>11</u> Exhibit 6b# <u>12</u> Exhibit 7) (Cohen, Michael) (Entered: 09/26/2008)
09/26/2008	<u>66</u>	INCORRECT EVENT ENTERED, FILER NOTIFIED TO REFILE Notice of Motion Filed by Michael B Cohen on behalf of Wayne Cohen. (Cohen, Michael) Modified on 9/29/2008 (Chavez, Baldo). (Entered: 09/26/2008)

09/29/2008	<u>67</u>	CORRECTIVE ENTRY INCORRECT EVENT ENTERED, FILER NOTIFIED TO REFILE (RE: <u>66</u> Notice). (Chavez, Baldo) (Entered: 09/29/2008)
09/29/2008	<u>68</u>	Notice of Motion Filed by Michael B Cohen on behalf of Wayne Cohen (RE: <u>65</u> Amended Motion,). Hearing scheduled for 10/1/2008 at 10:30 AM at 219 South Dearborn, Courtroom 619, Chicago, Illinois 60604. (Cohen, Michael) (Entered: 09/29/2008)
10/01/2008	<u>72</u>	Order Granting Amended Motion (Related Doc # <u>65</u>). Signed on 10/1/2008. (Ross, Demetrius) (Entered: 10/06/2008)
10/02/2008	<u>69</u>	Response in Opposition to (related document(s): <u>58</u> Motion for Leave to Appeal) Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B) (Frank, Joseph) (Entered: 10/02/2008)
10/02/2008	<u>70</u>	Amended Response in Opposition to (related document(s): <u>69</u> Response,, <u>58</u> Motion for Leave to Appeal) Filed by Joseph D Frank on behalf of Official Unsecured Creditors' Committee of Hearthside Baking Co., Inc. (Attachments: # <u>1</u> Amended Exhibit A# <u>2</u> Amended Exhibit B) (Frank, Joseph) (Entered: 10/02/2008)
10/03/2008	<u>71</u>	Amended Complaint by Michael B Cohen on behalf of Wayne Cohen against all defendants. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4a# <u>5</u> Exhibit 4b# <u>6</u> Exhibit 4c# <u>7</u> Exhibit 4d# <u>8</u> Exhibit 4e# <u>9</u> Exhibit 4f# <u>10</u> Exhibit 4g# <u>11</u> Exhibit 4h# <u>12</u> Exhibit 4i# <u>13</u> Exhibit 4j# <u>14</u> Exhibit 4k# <u>15</u> Exhibit 4l# <u>16</u> Exhibit 4m# <u>17</u>

	Exhibit 4n# <u>18</u> Exhibit 4o# <u>19</u> Exhibit 4p# <u>20</u> Exhibit 4q# <u>21</u> Exhibit 4r# <u>22</u> Exhibit 4s# <u>23</u> Exhibit 4t# <u>24</u> Exhibit 4u# <u>25</u> Exhibit 4v# <u>26</u> Exhibit 5a# <u>27</u> Exhibit 5b# <u>28</u> Exhibit 6# <u>29</u> Exhibit 7a# <u>30</u> Exhibit 7b# <u>31</u> Exhibit 7c# <u>32</u> Exhibit 8) (Cohen, Michael) (Entered: 10/03/2008)
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